

Remarks

Applicants gratefully acknowledge the allowance of claims 10-12.

Amendments to the Claims

Entry of the above amendments and reconsideration and withdrawal of the rejection of claims 1-4 and 40-44 is respectfully requested. The disposition of claim 5 was not indicated in the office action, although it depends from claim 4, which has been rejected. Applicants respectfully request allowance of claim 5. Claim 1 has been amended by changing the term "comprising" in the preamble to the term "consisting of" and by addition of the phrase "optionally with a pharmaceutically acceptable vehicle, carrier or diluent." Support for this amendment is in claim 1 as originally filed and in the specification, for example, at page 11, lines 4-11, page 13, lines 18-33. Claim 2 has been amended by rewriting the claim in independent form. Support for this amendment is in claims 1-2 as originally filed and in the specification at page 13, line 18 through page 18, line 2. Claims 45 and 46 have been amended by rewriting these claims in independent form. Support for these amendments is in claims 44-46 as originally filed and in the specification, for example, at page 18, line 4 through page 19, line 6. Applicants respectfully submit that no new matter was introduced by these amendments. If any fees are required for the amendments to the claims please charge those fees to deposit account 16-1445.

35 U.S.C. § 102(e) Rejection of Claim 1

Claim 1 has been rejected under 35 U.S.C. 102(e) as allegedly being unpatentable over Place et al. (U.S. Patent 5,877,216 issued March 2, 1999, hereinafter referred to as "Place"). The Examiner has alleged that Place teaches a composition for treating sexual dysfunction and that estrogen antagonists such as tamoxifen, raloxifene and centchroman are disclosed. Applicants respectfully traverse.

Applicants presently claim a method of treating sexual arousal disorder using an estrogen agonist/antagonist, and optionally, a cyclic guanosine 3', 5'-monophosphate elevator. Place does not teach or disclose the presently claimed method of treating sexual arousal disorder using an estrogen agonist/antagonist, and optionally, a cyclic guanosine 3', 5'-monophosphate elevator.

First, Place does not supply each of the elements of the presently claimed invention. Place discloses the local administration of vasodilating agents to the

vagina or vulva. While Place discloses combinations of estrogen agonist/antagonists, Place does not disclose the instant combination of an estrogen agonist/antagonist, and optionally, a cyclic guanosine 3', 5'-monophosphate elevator. Place discloses at column 8, lines 28-30 that "The pharmaceutical formulations used in the methods of the present invention may also include one or more pharmacologically active agents other than the vasodilator." Thus, Place requires that the methods and pharmaceutical compositions disclosed therein must comprise a vasodilator and therefore can not be a method employing an estrogen agonist/antagonist alone. Only in combination with these other compounds is an estrogen agonist/antagonist even mentioned in Place.

Nowhere in Place is a cyclic guanosine 3',5'-monophosphate elevator mentioned. Further, Place does not disclose the administration of an estrogen agonist/antagonist alone to treat sexual arousal disorder. Applicants respectfully submit that Place does not disclose the use of an estrogen agonist/antagonist either alone or in combination with a cyclic guanosine 3', 5' monophosphate elevator to treat sexual arousal disorder in females. Since Place does not disclose the present method of treating sexual arousal disorder by administration of an estrogen agonist/antagonist, either alone or with a cyclic guanosine 3', 5' monophosphate elevator, it thus does not anticipate the presently claimed method. For this reason applicants respectfully request that the Examiner reconsider and withdraw the 35 U.S.C. § 102(e) rejection of claim 1, as amended.

35 U.S.C. § 103(a) Rejection of Claim 2-4 and 40-44

Claims 2-4 and 40-44 have been rejected under 35 U.S.C. 103(a) as allegedly being unpatentable as obvious over Place. Applicants respectfully traverse. Place does not teach or suggest the presently claimed method of treating sexual arousal disorder using an estrogen agonist/antagonist, and optionally, a cyclic guanosine 3', 5'-monophosphate elevator.

Place does not supply the elements of the presently claimed invention, nor does it suggest the presently claimed method. Place is concerned with the local administration of vasodilating agents to the vagina or vulva. Nowhere in Place is a cyclic guanosine 3',5'-monophosphate elevator mentioned. Also, Place does not teach or suggest the administration of an estrogen agonist/antagonist to treat sexual arousal disorder. Only in combination with other compounds is an estrogen agonist/antagonist even mentioned in Place. Moreover, Place does not mention or

suggest the particular estrogen agonists/antagonists that are recited in claims 2, 3, 4, 5, 42, 43 or 44.

Last, there is no motivation in Place to arrive at the present method of claims 2-4 and 40-44. Place is concerned only with the local administration of compounds to the vagina or vulva and never mentions administration of an estrogen agonist/antagonist alone and makes no mention of a cyclic guanosine 3',5'-monophosphate elevator at all. Particularly, Place makes no suggestion whatsoever of employing compounds of formula I, formula IA or (-)-cis-6-phenyl-5-[4-(2-pyrrolidin-1-yl-ethoxy)-phenyl]-5,6,7,8-tetrahydronaphthalen-2-ol as employed in claims 2-5 and 44. Thus, there can be no suggestion to use an estrogen agonist/antagonist either alone or in combination with a cyclic guanosine 3',5'-monophosphate elevator to treat sexual arousal disorder in females.

Applicants respectfully assert that Place does not teach or suggest that an estrogen agonist/antagonist either alone or in combination with a cyclic guanosine 3', 5' monophosphate elevator could be used to treat sexual arousal disorder in females. Applicants respectfully request the Examiner to reconsider and withdraw the 35 U.S.C. rejection of claims 2-4 and 40-44.

Objection to Claims 45-53

Claims 45-53 have been objected to as being dependent on a rejected base claim. The Examiner has acknowledged that claims 45-53 would be allowable if rewritten in independent form. Although applicants submit that claim 44 is in condition for allowance for the reasons stated hereinabove, claims 45 and 46 have been rewritten in independent form. Claim 47 depends from claim 46, claim 48 depends from claim 47, claims 49-51 depend from claim 45 and claims 52 and 53 depend from claim 49. Thus none of claims 45-53, as amended, depend from a rejected base claim. Applicants respectfully request that the Examiner reconsider and withdraw the objection to claims 45-53.

Conclusion

Applicants believe that, in view of the amendments and remarks made above, this application is in condition for allowance. Reconsideration and allowance of claims 1-5 and 40-53 is respectfully requested.

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